

To amend the Central Intelligence Agency Act of 1949, as amended, and for other purposes.

1. Be it enacted by the Senate and House of Representatives of
2. the United States of America in Congress assembled, That this Act
3. may be cited as the "Central Intelligence Agency Act Amendments
4. of 1963."

5. Section 2. The Central Intelligence Agency Act of 1949, as amended
6. (50 U.S.C. 403 (a) et seq.), is further amended as follows:

7. (1) Amend section 3 by deletion of subsections (a) and (b)
8. and substitute therefore:

9. "(a) In the performance of its functions, the Central Intelli-
10. gence Agency is authorized to exercise the authorities contained in
11. sections 2301; 2302(2) and (3); 2303 (b) and (c); 2304 (a)(1), (2),
12. (3), (4), (5), (6), (10), (12), (15), and (17); 2305; 2306; 2307;
13. 2312; and 2383 of title 10, United States Code."

14. "(b) In the exercise of the authorities granted in subsection
15. (a) of this section, the term "Agency head" shall mean the Director
16. and the Deputy Director."

17. (2) Amend section 3(d) by deletion of the wording "section 2(c)
18. and section 5(a) of the Armed Services Procurement Act of 1947" from
19. the first sentence and substitute therefor, "section 2304 (a) and
20. section 2307 of title 10, United States Code." Further amend section
21. 3(d) by deletion of the wording "section 2(c)", by section 4 or by
22. section 5(a) of the Armed Services Procurement Act of 1947" from the
23. second sentence and substitute therefor, "section 2304 (a), by
24. section 2306 or by section 2307 of title 10, United States Code."

25. (3) In section 4 add the following new paragraphs (1)(G) and

1. "(1)(G) Pay the travel expenses of officers and employees of
2. the Agency and members of their families, while serving at posts
3. specifically designated by the Director for purposes of this para-
4. graph, for rest and recuperation to other locations abroad having
5. different environmental conditions than those at the post at which
6. such officers and employees are serving, provided that such travel
7. expenses shall be limited to the cost for each officer or employee
8. and members of his family of one round trip during any continuous
9. two-year tour unbroken by home leave and two round trips during any
10. continuous three-year tour unbroken by home leave."

11. "(1)(H) Pay the travel expenses of members of the family
12. accompanying, preceding, or following an officer or employee if, while
13. he is enroute to his post of assignment, he is ordered temporarily for
14. orientation and training or is given other temporary duty;"

15. "(8) Provide appropriate orientation and language training to
16. members of family of officers and employees of the Agency in anticipa-
17. tion of the assignment abroad of such officers and employees, or
18. while abroad."

19. (4) Amend section 4(3)(A) to read as follows:

20. "(3)(A) Order to any of the several States of the United States of
21. America (including the District of Columbia, the Commonwealth of Puerto
22. Rico, and any territory or possession of the United States) on
23. statutory leave of absence each officer or employee of the Agency who
24. was a resident of the United States (as described above) at the
25. time of employment, upon completion of three years' continuous
26. service abroad or as soon as possible thereafter and may so order
27. after completion of eighteen months such service."

1. (5) Amend section 4(5) by striking out subsections (A) and
2. (C) and inserting in lieu thereof the following new paragraphs (A) and
3. (C):
4. "(A) In the event an officer or employee of the Agency or one of
5. his dependents, requires medical care, for illness or injury not the
6. result of vicious habits, intemperance, or misconduct, while on
7. assignment abroad in a locality where there is no qualified person or
8. facility to provide such care, pay the travel expenses of such officer,
9. employee, or dependent by whatever means deemed appropriate by the
10. Agency, including the furnishing of transportation, and without regard
11. to the Standardized Government Travel Regulations and section 10 of the
12. Act of March 3, 1933, as amended (60 Stat. 808; 5 U.S.C.73b), to the
13. nearest locality where suitable medical care can be obtained and on his
14. recovery pay for the travel expenses of his return to his post of duty.
15. If any such person is too ill to travel unattended, or in the case of
16. a dependent too young to travel alone, the Agency may also pay the
17. round-trip travel expenses of an attendant or attendants."
18. "(C)(1) In the event of illness or injury requiring hospitali-
19. zation or similar treatment of an officer or employee of the Agency,
20. not the result of vicious habits, intemperance, or misconduct on
21. his part, pay for the cost of treatment of such illness or injury.
22. "(1i) In the event a dependent of an officer or employee of
23. the Agency who is stationed abroad, incurs an illness or injury
24. while such dependent is located abroad, which requires hospitalization
25. or similar treatment, and which is not the result of vicious habits,
26. intemperance, or misconduct on his part, pay for that portion of the
27. cost of treatment of each such illness or injury that exceeds \$35

1. up to a maximum limitation of one hundred and twenty days of
2. treatment for each such illness or injury, except that such
3. maximum limitation shall not apply whenever the Agency, on the
4. basis of professional medical advice, shall determine that such
5. illness or injury clearly is caused by the fact that such dependent
6. is or has been located abroad."

7. (6) In section 5, add the following new paragraphs (g) and (h):

8.

9. "(g) Where an officer or employee of another Government agency
10. transfers with the consent of such agency and is appointed to a
11. position in the Agency, such an officer or employee shall be entitled
12. upon separation from the Agency, to reinstatement to the position
13. occupied at the time of appointment or to a position of comparable
14. or higher salary in such other Government agency."

15. "(h) Settle and pay, whenever the Director determines that
16. payment will further the purposes of this Act, without regard to
17. any other provisions of law and under such regulations as the
18. Director may prescribe, in an amount not exceeding \$10,000, any
19. claim against the United States for loss of or damage to real or
20. personal property (including loss of occupancy or use thereof),
21. belonging to, or for personal injury or death of, any person not
22. a citizen or resident of the United States, where such claim
23. arises abroad out of the act or omission of any Agency employee or
24. out of the act or omission of any person acting on behalf of the
25. Agency but only if such claim is presented in writing to the Agency
26. activity involved within one year after it accrues."

1. (7) Paragraph (4) of section 104(a) of the Internal Revenue
2. Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from
3. gross income of compensation for injuries and sickness) is hereby
4. amended to read as follows:

5. "(4) amounts received as a pension, annuity, or similar allow-
6. ance for personal injuries or sickness resulting from active service
7. in the armed forces of any country or in the Coast and Geodetic
8. Survey or the Public Health Service, or as a disability annuity
9. payable under the provisions of section 831 of the Foreign Service
10. Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021), or as a
11. disability annuity payable under Title II of the Central Intelligence
12. Agency Act of 1949, as amended (50 U.S.C. 403(a) et seq.)."

13. (8) Renumber section 7. to read section 8. Renumber section 8
14. to read section 9, APPROPRIATIONS. Renumber section 9 to read
15. section 10, SEPARABILITY OF PROVISIONS. Renumber section 10 to read
16. section 11, SHORT TITLE. Add a new section 7 as follows:

17. "(7) (a) The Director of Central Intelligence is authorized
18. to receive gifts to the Agency and in his discretion to accept,
19. receive, hold, administer, and expend such gifts and bequests of
20. personal property, from individuals or others, for the benefit of,
21. or for use in connection with, the Central Intelligence Agency and
22. its personnel. Gifts or bequests of money or the profits from sales
23. of other property received as gifts shall be subject to disburse-
24. ment by the Director in accordance with the terms and conditions
25. of the acceptance of any particular gift or bequest.

26. "(b) The Director is authorized to invest, reinvest, or retain
27. investments of the money or securities as he shall deem advisable

1. and the interest or profits accruing from such use shall be
2. available for disbursement as provided in (a) above. For the
3. purpose of Federal income, estate and gift taxes, gifts and
4. bequests accepted by the Director shall be deemed to be a gift
5. or bequest to or for the use of the United States."

6. Section 3. Insert the heading "TITLE I -- DEFINITIONS AND
7. GENERAL AUTHORITIES" before the section title, "DEFINITIONS",
8. of section 1 of the Central Intelligence Agency Act of 1949,
9. as amended.

10. Section 4. The Central Intelligence Agency Act of 1949, as
11. amended, is further amended by the addition of TITLE II as
12. follows:

13. "TITLE II -- THE CENTRAL INTELLIGENCE AGENCY RETIREMENT
14. AND DISABILITY SYSTEM

15. "PART A -- ESTABLISHMENT OF SYSTEM

16. "Rules and Regulations

17. "Sec. 201. (a) The Director may prescribe rules and regulations
18. for the establishment and maintenance of a Central Intelligence
19. Agency Retirement and Disability System, referred to hereafter
20. as the System.

21. "(b) The Director shall administer the System in accord-
22. ance with such rules and regulations and with the principles
23. established by this Act.

1. "Establishment and Maintenance of Fund

2. "Sec. 202. There is hereby created a special fund to be known as
3. the Central Intelligence Agency Retirement and Disability Fund which
4. shall be maintained by the Secretary of the Treasury and classified
5. under section 20 of the Act of June 26, 1934, (48 Stat. 1233) as
6. amended. The Central Intelligence Agency Retirement and Disability
7. Fund is referred to hereafter in this title as the Fund.

8. "Participants

9. "Sec. 203. The Director may designate from time to time such Agency
10. officers and employees, hereafter referred to as participants, who
11. shall be entitled to the benefits of the System.

12. "Annuitants

13. "Sec. 204. (a) Annuitants shall be persons who are receiving annuities
14. from the Fund and all persons, including surviving wives and husbands,
15. widows, dependent widowers, children and beneficiaries of participants
16. or annuitants who shall become entitled to receive annuities in
17. accordance with the provisions of this Act.

18. "(b) When used in this title the term --

19. "(1) "Widow" means the surviving wife of a participant who was
20. married to such participant for at least two years immediately preceding
21. his death or is the mother of issue by such marriage.

22. "(2) "Dependent widower" means the surviving husband of a partici-
23. pant who was married to such participant for at least two years
24. immediately preceding her death or is the father of issue by such
25. marriage, and who is incapable of self-support by reason of mental or
26. physical disability, and who received more than one-half of his support
27. from such participant.

1. "(3) "Child" means an unmarried child, under the age of
2. eighteen years, or such unmarried child regardless of age who
3. because of physical or mental disability incurred before age
4. eighteen is incapable of self-support. In addition to the off-
5. spring of the participant and his or her spouse the term includes
6. (a) an adopted child, and (b) a step-child or recognized natural
7. child who received more than one-half of his support from the
8. participant.

9. "PART B -- COMPULSORY CONTRIBUTIONS

10. "Sec. 211. (a) Six and one-half per centum of the basic salary
11. received by each participant shall be contributed to the Fund for
12. the payment of annuities, cash benefits, refunds, and allowances.
13. An equal sum shall also be contributed from the respective appro-
14. priation or fund which is used for payment of his salary. The
15. amounts deducted and withheld from basic salary together with the
16. amounts so contributed from the appropriation or fund, shall be
17. deposited by the Central Intelligence Agency in the Treasury of the
18. United States to the credit of the Fund.

19. "(b) Each participant shall be deemed to consent and agree to
20. such deductions from basic salary, and payment less such deductions
21. shall be a full and complete discharge and acquittance of all claims
22. and demands whatsoever for all regular services during the period
23. covered by such payment, except the right to the benefits to which
24. he shall be entitled under this Act, notwithstanding any law, rule,
25. or regulation affecting the individual's salary.

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1. "PART C -- COMPUTATION OF ANNUITIES

2. "Sec. 221. (a) The annuity of a participant shall be equal to
3. 2 per centum of his average basic salary for the highest five
4. consecutive years of service, for which full contributions have
5. been made to the Fund, multiplied by the number of years, not
6. exceeding thirty-five, of service credit obtained in accordance
7. with the provisions of sections 251, ^{and 253.} and 252, In determining the
8. aggregate period of service upon which the annuity is to be based,
9. the fractional part of a month, if any, shall not be counted.

10. "(b) At the time of retirement, any married participant may
11. elect to receive a reduced annuity and to provide for an annuity
12. payable to his wife or her husband, commencing on the date following
13. such participant's death and terminating upon the death of such
14. surviving wife or husband. The annuity payable to the surviving
15. wife or husband after such participant's death shall be 50 per centum
16. of the amount of the participant's annuity computed as prescribed
17. in paragraph (a) of this section, up to the full amount of such
18. annuity specified by him as the base for the survivor benefits.
19. The annuity of the participant making such election shall be reduced
20. by $2\frac{1}{2}$ per centum of any amount up to \$2,400 he specifies as the base
21. for the survivor benefit plus 10 per centum of any amount over
22. \$2,400 so specified.